THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 25406 of 2007

Date: 29.11.2007

Between:

Nadimpalli Viswanadha Raju.

..... PETITIONER

AND

The Sub-Registrar,
Registration and Stamps Department,
Sabbavaram, Vasakhapatnam Dist.

.....RESPONDENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 25406 of 2007

Order:

This writ petition is filed seeking a Mandamus declaring the action of the respondent-Sub Registrar, Registration and Stamps Department, Sabbavaram, Visakhapatnam District, in refusing to receive and register the document presented by the petitioner in respect of the land admeasuring Ac.6.62 cents, situated in Survey No.25 of Dongala Marri Seetharamapuram @ Suribhatla Agraharam, Sabbavaram Mandal, Visakhapatnam District, as illegal, arbitrary and contrary to the provisions of the Stamp and Registration Acts, and consequently to direct the respondent to receive and register the document presented by the petitioner in respect of the land in Survey No.25, without referring the proceedings dated 22.03.2007 of the Tahsildar, Sabbavaram.

The contention of the learned counsel for the petitioner is that the Tahsildar, Sabbavaram, by his letter in Rc.No.314/2000/A, dated 22.03.2007, directed the Sub-Registrar, Sabbavaram, not to register certain lands, which are described as Bhoodhan lands, Government lands and Putrevu lands, situated at Dongala Marri Seetharamapuram village, Sabbavaram Mandal. But since the land of the petitioner admeasuring Ac.6.62 cents, situated in Survey No.25 of the said village is a private zeroithi land, which does not belong to any of the categories mentioned in the said letter, the action of the respondent-Sub-Registrar in not receiving and registering the document presented by the petitioner is illegal and contrary to the provisions of the Stamp and Registration Acts.

However, when the matter is taken up for admission, learned Government Pleader for Revenue, on instructions, submitted that the lands of the petitioner are private lands, and therefore, a direction may be given to the respondent-Sub-Registrar for registration of the said lands in accordance with the Stamp and Registration Acts.

Having regard to the facts and circumstances of the case, and in view of the submission made by the learned Government Pleader for Revenue, without going into the merits of the matter,

I deem it appropriate to dispose of the writ petition with the following directions:

The respondent, namely the Sub-Registrar, Registration and Stamps Department, Sabbavaram, Visakhapatnam District, is directed to receive and process the papers to be submitted by the petitioner for registration of his land in Survey No.25, in accordance with the Acts and Rules in vogue, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 29.11.2007
Nsr